

### **March 9, 2010**

Minutes of the City Council Meeting held on Tuesday, March 9, 2010 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 at 7:00 pm.

The following members were present:

Mayor: Hunt Willoughby

City Council Members: Kimberly Bryant, Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy

Staff: Ted Stillman, Janis H. Williams, Jay Healey, Annette Scott, Ron Devey, Andrea Chapman, Landon Wallace, Charmayne Warnock and David Church

Others: Jannicke Brewer, Caleb Warnock and Alexa Lee, *The Daily Herald*, Lt. Brian Gwilliam, *Lone Peak Public Safety District*, Diane Hunsaker, *Alpine Youth Council Advisor*, Emily Gillespie, Samantha Rainsdon, Katie Colton, Siera Barton, Kathleen Rasmussen, Suzanne Smith, Jeff Chapman, Noah Chapman, Will S. Scott, Ken Potter, Jenné Hunter, Carry Pearce, July Jolley, Lon Lott, Victor Neves, Caroldean Neves, David Kono, Crystal Eaton, Ray Garrett, John Gunter, Ron Eaton, Jennie Wallace, David Beck, Don Watkins, Kayle W. Smith, Darren Hartvigsen, Amy Hartvigsen, Shane Wallace, Brad Renater, Mark Bowman, Stan Adams, Garrett Seeley, John Ambuehl, Will Burgess, Tod Johnsen, Andy Kimmer, John Gunter, Jr. Chris Briggs, Kim Christensen, Steve Jolley, Paul Jolley, Evan Clark, Bracken Mecham, Carrie Pearce and Kyle Hawker

**I. CALL TO ORDER.** Mayor Hunt Willoughby called the City Council meeting to order at 7:00 pm and welcomed those in attendance. The Council Members, staff and Youth Council Members were introduced.

**II. PRAYER/OPENING COMMENTS** – Bradley Reneer

**III. PLEDGE OF ALLEGIANCE.** Bracken Mecham led the audience in the Pledge of Allegiance.

**IV. PUBLIC COMMENT** - Time has been set-aside for the public to express their ideas, concerns and comments on items not on the agenda.

Mayor Hunt Willoughby explained the role of the City Council Members and said they make decisions that affect the lives of all the residents in Alpine and then further explained the operation of City Hall. The Youth Council members sat on the stand with the City Council to watch them handle items on the agenda.

Will Jones suggested that we make some kind of notification to put on the trails as right now the ground is soft and the horses that use the trails make deep prints which will be there all summer.

Kathleen Rasmussen asked why Moyle Park is closed during the winter and Mayor Willoughby said he talked to the caretakers and it will now be opened.

### **V. CONSENT CALENDAR**

Business Licenses:

Bryan Welton – PACIFIC FIR; 650 East Healey Blvd.

David George – ARGO STUDIOS; 255 S. Alpine Dr.

**MOTION:** Kent Hastings moved to approve the Consent Calendar. Troy Stout seconded. Ayes: Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

### **VI. ACTION ITEMS**

**A. QUALTRICS SURVEY PRESENTATION.** Ted Stillman said that Qualtrics is a system which obtains citizen opinions on City issues. This item will be dealt with at a later date.

**B. RESOLUTION NO. R2010-03 – PRESSURIZED IRRIGATION RATES.** Ted Stillman said that with the decrease in development there is a significant lack of impact fees to help pay the bond payments

therefore necessitating the need to increase rates. The proposed amended consolidated fee schedule increases the pressurized irrigation rate for non-shareholders in Alpine Irrigation Company which will raise the rate by 9 per cent. The graph below compares the current rate to the proposed rate as follows:

	\$0.00102/sf (current)	\$0.001112/sf (proposed)
10,000 sf	\$10.20	\$11.12
20,000 sf	\$20.40	\$22.24
30,000 sf	\$30.60	\$33.36
40,000 sf	\$40.80	\$44.48

Kent Hastings asked when the last time these rates were increased and Shane Sorensen said it has been several years. Councilman Hastings asked why non-share holders pay more than share holders and Ted Stillman said because the water from share holders is in the system. Jim Tracy said he was confused on the inspection rate charged and that it was listed in two different places and was not consistent. Shane Sorensen explained that one of the charges pertained to Building Permits and Inspections and the other pertained to inspections during the development stage where infrastructure is being put in.

**MOTION:** Jim Tracy moved that the City Council adopt Resolution No. R2010-03, A Resolution Amending the Consolidated Fee Schedule. Kent Hastings seconded. Ayes: Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

Item E was moved up on the agenda and handled at this time.

**E. STORM DRAIN MASTER PLAN & STORM DRAIN ORDINANCE.** Ted Stillman said we have completed the Storm Drain Master Plan which was done by Bowen and Collins Engineers and the Council was given a rough draft of the Storm Drain Ordinance which implements the Storm Water Management Plan and implements State guidelines on the operation of the storm water system. Mr. Stillman said the State is now inspecting cities and town storm drain systems to make sure they meet State guidelines. Shane Sorensen said our consultants have done some modeling and identified some lines that are undersized and some that need improvements. Bowen and Collins came up with a list of recommended improvements with associated costs and then they came up with the impact fee. Mr. Sorensen said the State is getting tougher on impact fees and requirements and currently our impact fee is \$800.00 per residence. Shane Sorensen said we thought we should wait and see what the Legislature does and then decide what to do with our impact fees. Bowen and Collins compiled a Storm Drainage manual which basically compiles all of our requirements for design criteria for storm drain infrastructure. When a development comes in we can hand them one of these manuals and tell them here are the requirements now design your storm drainage system.

Shane Sorensen said the Storm Drain Master Plan and the Storm Drain Ordinance work together and EPA has come up with regulations even for those as small as Alpine to protect the waters of our State. All our storm drain water we collect is discharged into Dry Creek; however, we do have a few sumps and they are regulated also. This program is set up to try to eliminate as much as possible sediment and any other contaminants from entering the waters of the state. The EPA takes a pretty hard stance on things and there are hefty fees for non-compliance. Also, there are audits. The program is set up to try to establish some order and make developments and people building things or disturbing land put things in place to mitigate these contaminants reaching the waters of the state. Shane Sorensen said it is mandated that we do this and we get fined by the EPA if we don't comply. Mr. Sorensen said we have a storm drain utility fee that each household pays of \$3.30. Some of our storm drain improvements are attributed to existing deficiencies and they cannot be paid for by new development. This fee was instituted many years ago to generate funds to build infrastructure that is not impact fee related and to maintain the storm drain system. As part of the Storm Drain Master Plan, EPA makes cities show how they are going to fund maintaining the system. Jim Tracy asked why the \$3.30 is the same for a ¼ acre lot and a 5-acre lot and Shane Sorensen said that in the previous master plan the rational is there and they averaged of the cost. Shane Sorensen said this ordinance is a model ordinance and in draft form and was developed by the State Storm Water Committee which is made up of several representatives from different cities and entities and was intended to meet the EPA requirements. Shane Sorensen said he hoped to refine this Master Plan and bring it back to get adopted.

Bradley Reneer felt that some of the requirements were an over-kill and Shane Sorensen explained that this is the EPA requirement and the State implements this program for them. A lot of the homes that get checked

out by the State are the larger developments where the developer is also the builder. In Alpine we don't experience this as our City has more custom built homes. The City Council members were asked to review the documents and this will be brought back later for adoption.

Kent Hastings said he wrestles with Federal Government telling us what ordinances we have to pass in our City and remembers when we had to pass the Clean Street Ordinance to satisfy a State law. Shane Sorensen said if the City wants to submit under its own permit it is very involved and we now fall under a general permit. Every five years the Master Plan is updated. Mayor Hunt Willoughby said the Department of Environmental Quality has been granted approval by the EPA to run the program in the State of Utah; however, the City can't be less stringent than the federal program and then you now have to justify being more stringent and meet certain specifications. Mayor Willoughby further stated that the only reason it is better for the State to run the program is that the Federal Government is not doing it.

Item F was dealt with at this time.

**F. WATER PROJECTS.** Shane Sorensen said we haven't had to replace waterlines in our City as our system is in excellent condition; however, he has been working on repair and replacement projects and came up with the following list:

**Mountainville Area:**

Mountainville Circle (Grove Drive to Mountainville Dr) – 35% impact fees, 65% existing deficiency, approximately 416 lf  
 Mountainville Drive (Mountainville Circle to Wilderness Dr) -35% impact fees, 65% existing deficiency, approximately 325 lf  
 Mountainville Drive (Wilderness Dr to end of cul-de-sac) -100% existing deficiency, approximately 412 lf  
 Wilderness Drive (Mountainville Dr to Moyle Park Estates Subdivision) –100% existing deficiency, approximately 475 lf

**Village Way Area:**

Village Way (800 East to Country Manor Lane) -deteriorating line due to hot soils (non-impact fee project), approx 1940 lf  
 Village Court (deteriorating line due to hot soils (non-impact fee project), approximately 312 lf  
 Lone Peak Dr (Village Way to Country Manor Lane) -deteriorating line due to hot soils (non-impact fee project), approx 1040 lf

**Alpine Drive Area:**

Alpine Dr (800 East to Moon, Plat B) - deteriorating line due to hot soils (non-impact fee project), approx 2570 lf. Street needs overlay but we need to replace water line first.  
 Alpine Circle – deteriorating line due to hot soils (non-impact fee project), approximately 485 lf

Shane Sorensen went over the type of pipe that would be used and said we can phase these projects, if necessary, to work within the budget. The Village Court and Alpine Circle cul-de-sac waterlines have not given us as much trouble with water main breaks as the Village Way and Alpine Drive main lines; however, they are the same age and it's probably just a matter of time.

**C. PROCLAMATION ESTABLISHING AND PROMOTING A CHILD-SAFE COMMUNITY STANDARD.** This item was handled later in the meeting.

**D. 100 SOUTH PARK CONSTRUCTION BID AWARD.** Ted Stillman said that bids were opened on March 2, 2010 for the construction of the 100 South Park. Nine bids were received and Mr. Stillman recommended that the bid be awarded to the second lowest bidder, Hawker Enterprise. The bid tabulation is as follows:

	Engineer's Estimate	S & L Landscape	Cap Constr	Control, Inc.	MSCI	Hawker Enterprise	Sunroc Corp	Hale Constr	Johnston & Phillips	Hughes General Contractor
Schedule 1- Landscaping	679,792.75	769,740.68	1,394,936.94	712,984.39	801,901.27	693,386.30	726,473.00	751,898.81	675,458.13	790,881.68
Schedule 2 – Landscaping	391,782.50	267,890.34	229,767.62	297,884.95	196,248.37	241,284.07	219,317.43	236,478.62	286,744.30	192,089.40
Additive 1 – Splash Pad & Appurtenances	271,000.00	329,951.83	214,843.00	150,900.00	302,460.00	171,028.89	264,000.00	193,493.00	186,885.00	240,000.00
Additive 2 – Pavilion- Splash Pad Area	50,000.00	57,508.76	50,616.00	76,300.00	59,700.00	69,377.16	60,000.00	42,400.00	74,526.00	53,100.00
Additive 3 – Pavilion #1	41,000.00	42,129.55	51,062.00	47,160.00	47,300.00	43,901.00	67,000.00	49,681.00	43,845.00	40,250.00
Additive 4 – Pavilion #2	41,000.00	42,129.55	51,062.00	51,100.00	47,300.00	43,901.00	67,000.00	49,681.00	43,845.00	40,250.00
Additive 5 – Playground & Equipment	67,500.00	87,464.36	92,455.00	77,640	70,900.00	69,647.52	39,000.00	11,305.00	69,902.00	69,500.00
Additive 6 – Playground & Equipment	29,600.00	37,814.07	42,512.00	36,000.00	28,900.00	38,405.00	22,000.00	18,034.00	28,515.00	28,000.00

Ted Stillman reviewed the bids and outlined the 100 South Park financing based on Hawker Enterprises bid as follows:

#### REVENUE

PARK IMPACT FEES	\$ 313,395.00
CAPITAL IMPROVEMENT FUND	\$1,156,145.00
CLASS C ROAD FUNDS	\$ 45,520.82
SEWER FUNDS	\$ 3,951.20
STORM DRAIN UTILITY	\$ 151,147.36
CULINARY WATER FUND	\$ 28,090.11
TRANSFER FROM WATER FUND	\$ 331,419.08
TOTAL	\$2,029,668.57

#### EXPENDITURES

SCHEDULE 1	\$ 693,386.30
SCHEDULE 2	\$ 241,284.07
PAVILION #1	\$ 43,901.00
PAVILION #2	\$ 43,901.00
PLAYGROUND A	\$ 69,647.52
PLAYGROUND B	\$ 28,405.00
PLAYGROUND C	\$ 34,515.00
PAVILION LIGHTING	\$ 5,500.00
CITY COSTS	\$ 350,000.00
SPLASH PAD	\$ 171,028.89
SPLASH PAD PAVILION	\$ 60,377.16
TENNIS COURTS	\$ 211,406.00
BASKETBALL COURTS	\$ 43,316.00
INDIVIDUAL PICNIC STRUCTURES	\$ 33,000.63
TOTAL	\$2,029,668.57

#### LEFT OUT

DECORATIVE COLUMNS	\$ 46,282.50
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Kent Hastings asked why we did not go with the low bidder and Shane Sorensen said the park project bid was quite involved and additional time was given to the contractors because it was so involved. When looking at each line item, Mr. Sorensen said there were some obvious problems so he did not recommend the low bidder. Shane Sorensen said he counted about eight or ten items that were not consistent with the other bidder's prices and Hawker Enterprise was about 18% below the engineer's estimate and about 7% under the average of the nine bids.

Hunt Willoughby asked the Council if they had any questions with the recommended revenue sources. Kent Hastings asked what already approved projects would be delayed if we take money out of the Capitol Improvement Fund. Ted Stillman said the Cemetery expansion and the remodel of the old Police Station would be delayed and in this new budget there won't be room for any new capital improvement projects. Jim Tracy asked if we had emergency money set aside and Ted Stillman said we had \$10,000,000 in the bank and after the park project we will have \$8,000,000 in the bank. Ted Stillman said we can borrow from future park impact fees and if part of the money we borrow is from the water fund then future impact fees can be used to repay this loan. David Church said impact fees can only be charged on new growth and when building slowed down the impact fees came in slower. One of the limitations on impact fees is that they have to be expended within six years after their receipt. Right now the bulk of previously paid park impact fees have gone towards the purchase of the property. Bradley Reneer asked if there was a time limit when we needed to pay this money back. Ted Stillman said we will be making an agreement with ourselves and are looking at paying this loan back in 25 years. The park impact fees will come in chunks as it is paid on a per lot basis in a subdivision and we are going to be paying ourselves back at 1% interest.

Troy Stout said to borrow money from ourselves is a little bit of a contradiction in his mind as earlier in the meeting we increased the pressurized irrigation rates because that fund did not have enough money coming in to fund it. Ted Stillman said he looks at the two funds independently and Kent Hastings questioned that since our culinary water pipes are in really good shape and we don't anticipate using the money right away are we bringing in more money than we need as we have surplus money in that fund. Ted Stillman said the value of the system is \$10,650,000 and we have depreciated this out and we are basically using money that we won't need for 15 to 20 years.

Bradley Reneer said he is uncomfortable with borrowing money from something to construct a wonderful project, but it is not essential and asked why we can't add a future park project to the list since we have no idea when the economy is going to turn around. Ted Stillman said this park is based on 50% current users of the park and 50% on future residents. David Church said that based on our anticipated growth this is the last large park project Alpine will see. Bradley Reneer asked if Alpine had other debts and should we borrow from the water fund to pay those debts. Ted Stillman said that by the power of elimination the best fund to borrow from is the water fund.

Kimberly Bryant said we obviously have the money in our bank and asked if we want to spend the money on the luxuries and do we make a decision is the current users pay for it and then the future pay for it. Kent Hastings said we don't necessarily have to pay for it out of any one fund. David Church said the Council needs to look at the expenditures and not the revenues. Jim Tracy said he felt that current residents should pay their fare share and Troy Stout said we are developing this park today to our standards and but asking future residents to pay for our standards.

Mayor Hunt Willoughby asked the Council to look at the expenditures and see if they wanted all the additives. David Church said 50% of this park will be paid for with Park Impact Fees and 50% from future residents. David Church said the Council needed to look at the expenditures and see what features are wanted in the park. Jim Tracy said that when we originally got the estimates from Lars Anderson for the park it was estimated the cost would be \$3,500,000 and we won't see these prices of \$2,029,668.57 again. This is not a sports park but will be a nice family park.

Hunt Willoughby asked the Council if they are comfortable with the expenditure list. Jim Tracy said yes and Kent Hasting said he doesn't think all the residents in the surrounding area want a splash pad. Jim Tracy said this would delay the project and Shane Sorensen said we are doing the restroom in house but they need to be ordered to keep the park construction on schedule. Mayor Hunt Willoughby said we should take advantage of the bids and Troy Stout asked if the bids were predicated on the Council accepting all the alternatives. Kimberly Bryant said the splash pad would be fun but it is a luxury and very expensive. Jim Tracy said he was surprised that the tennis courts came in higher than the splash pad and Troy Stout said he still has some questions about the design of the splash pad. Bradley Reneer said the splash pad is the one feature that has the shortest user season and this would make it more expensive and Kent Hastings felt the underground water features would have less vandalism. Shane Sorensen said there is a 20-year warranty on the above-ground products and the kids gravitated toward the above-ground features and had more use. Ron Devey said there would be no more vandalism and no sight hazard with the above-ground features than a play ground and is built very sturdy. Ron Devey said he was not in favor of having a splash pad until he visited the one in South Ogden. What he saw was the splash pad bringing the community together and it is a great benefit. Ted Stillman said that South Ogden City has said this is the best thing they ever did and Troy Stout said that South Ogden is a crossroads to several communities and he didn't think this would

happen in Alpine.

Bradley Reneer asked which one of the additives could be left on the plan but not built now to save \$200,000 down the road. Mayor Hunt Willoughby said we are putting construction of the park 10 years down the road by building this now. Kimberly Bryant said that since this is our last park we should have future residents help pay for it. Kent Hastings said he is not convinced about the above-ground or underground features but suggested that we leave them off for now and put them in later. Mayor Willoughby asked Ron Devey what expenditure we would incur to put the infrastructure in but not the final feature. Ron Devey said it would cost more than twice as much to do it later. Bradley Reneer felt the Council needed to be more financially responsible as we don't know where the economy will be in a year from now. Troy Stout said we are betting on future development paying park impact fees but we don't know when we will recover. Councilman Stout felt we should either spend this money now and recover it with impact fees or not spend the money and the park impact fees will go away or be reduced. Jim Tracy said he did not agree with Bradley Reneer and if we waited 10 years to build some features then one-half of a generation will go without being able to use the facilities and will probably move away. We have the money in reserve and in the bank now and Councilman Tracy said he has spent a lot of time reviewing the park plan with Shane Sorensen and Ron Devey. Jim Tracy said we want low maintenance and high quality features in this park.

Katrina Kennedy asked if park impact fees can be spent on maintaining existing parks and Ted Stillman said the funds that maintain parks come from the General Fund which comes from taxes. Katrina Kennedy asked if it would be possible to move some of the parking to the northwest corner of the park and was told that was not part of the motion.

Stan Adams has worked for UDOT and said he has been involved in a lot of projects that have been put off because of budget concerns. Mr. Adams said he guarantees that if the Council saves 10% by not putting in the splash pad or something else you will pay 30% to 40% more in the future. Stan Adams said the City received very good bids on this park and encouraged the Council to award the bid.

Kayle Smith said there is a risk involved by putting off not doing the whole park now and if this is delayed it will cost more tax dollars in the future. Mr. Smith encouraged the Council to vote for this park plan in its entirety and said this was a unique parcel as it is large and flat and the only parcel left like it in Alpine. The economic risks are fairly low.

Victor Neves said there has been a process and we are at the culmination of the process. The process has followed the procedures that are outlined. It has gone through the Planning Commission and a lot of meetings. There are things that residents wanted in the park but there have been compromises and those things are no longer in the park and now at the moment of the supposed vote there has been about an one and one-half hour of delays that to him as a citizen seem like stalling tactics and that is because of because of a few very vocal people. Victor Neves said shame on him for not being a more involved citizen. Mr. Neves said he remembered campaigns that said they were going to work to preserve property value and if we could put in a quality park and fail to because of a few angry people then shame on all of us. Victor Neves concluded by saying tonight is the night to choose to put in a great park.

Lon Lott said he put together a bid and knows in detail the construction part of the park and recommended that the Council not piece meal it. Everything that was included in the bid should be put in originally; however, a pavilion could be left off now but there would be no significant cost savings on the bid. Lon Lott recommended that the Council go for whatever the bid is.

Amy Hartvigson said she was excited about the park and hoped the Council not take out the splash pad. This would be an awesome addition to the park and a huge benefit. The park is new and upcoming and up to date and that is what the residents want.

Cinda Clement said she has three kids who live around Burgess Park and they take full advantage of it and don't mind that there is parking on the street in front of their homes. To have another park that has all the features would be a benefit to the citizens.

Crystal Eaton appreciated the dialogue and said the individual citizens who come out and speak up because of their rights. It is obvious that Alpine keeps good financial books. Crystal Easton said the people who live around the park might feel better about the placement of the features and she noticed the parking lot has been cut down.

Don Watkins said he is strongly in favor with the motion and further stated that historically the best investments we ever make are parks. We are very fiscally sound and Mr. Watkins said, in his opinion, it would be poor stewardship to feel better about that cash always being in the bank then letting our children and grandchildren use our parks. Procedurally there is a little bit of an issue here and Don Watkins said he didn't know how many in the community thought we were going to discuss what was in or not in the park tonight and said the citizens should always be mindful of what is on the agenda. Don Watkins said he was in strong favor of the park.

Carrie Pearce said she is in favor of this park and thinks it is beautiful. Mrs. Pearce said she would like to take her grandchildren to a park right here in Alpine. The property value is higher around a green belt. There are two soccer fields in the East Mountain area and there are no playground features. It is boring. This park would draw a much stronger sense of community.

David Kono said he feels better and said there is support for the park plan. Regardless of how much money we have in the bank but Mr. Kono is concerned about a minor risk of repaying the water fund. This will be one of the nicer parks in the state and we are kidding ourselves if we think people from out of town won't come to Alpine to use this park. Troy Stout said he remembers in the past where people have come arguing against the large parking lot because they didn't feel it was needed. If people are going to come from out of town maybe we should have planned for a bigger parking lot.

Kristen Eberting said park plans always looks good on paper but wants to make sure it is going to be maintained. Mrs. Eberting lives at the Park in Southpoint and said she feels there are a lot of things needed there and it is neglected. Kristen Eberting said she hoped the Council was looking forward to make sure the park will be cared for just like it shows on paper.

Landon Wallace said he knew there were some issues as far as the size of the parking lot and some features for the residents that lived by 600 East but felt word was put out that said come out tonight to support the park. He thinks if you build the right park people will enjoy it and the residents are now supporting the park plan.

Andrea Chapman said she has gotten a couple of calls from people who were looking at lots in the Taylor Meadows Subdivision and both said they would only buy if the park was going in.

Phillip Bacon asked Ted Stillman how long have we had the \$10,000,000 in the bank and has it remained stable. Ted Stillman said that five years ago we had \$5,000,000 and it has gradually gone up and has been in this range for the last four or five years. Taking \$2,000,000 out towards funding the park will take us down to \$8,000,000. Mr. Bacon was concerned that the splash pad will open the park up to give the park exposure for a few short months of use.

John Ambuel said we are getting a great product at an exceptional price.

Carolee Neves said she is looking forward to having family reunions in the park and noted that it will be used. Also, maybe Alpine Days could be moved to that park. This park will be within walking distance for a lot of people and it will be an asset to our community It will give the residents another place to go.

David Beck said he always knew something was going to be built there. Mr. Beck's disappointment was that he expected a motion funding the park and that there not be a lengthy debate as we have a great plan and the money. Mayor Hunt Willoughby said that when we took the vote in January for this park plan it was with the caveat that we would look at each feature and the cost.

Troy Stout asked Jim Tracy and Kimberly Arnold if they would be willing to amend the motion to say the splash pad design would be looked at again and reevaluated separately by no later than April 15. Jim Tracy said he talked to many splash pad designers and the features that are being used the most are the ones with the interactive features. Jim Tracy said these nozzles are removable and they can be taken off and stored for the winter. Kyle Hawker said if you don't approve the whole bid tonight and we have to resort to change orders, they always cost more. Troy Stout suggested that we vote on it tonight and Kyle Hawker said that one month from today won't matter to them. Shane Sorensen said he wasn't sure what the lead time would be on the product and further stated we need to order the restrooms tomorrow to keep the park construction on schedule. Shane Sorensen said he could make arrangements for the supplier to come and show all the different options and Kent Hastings said that would be good.

**MOTION:** Jim Tracy moved that the City Council accept the expenditures not to exceed \$2,029,668.57 as presented but revisit the design of the splash pad to finalize the design of the splash pad no later than two meetings from tonight. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

Kimberly Bryant asked the press to report that we have the money for this park.

**MOTION:** Jim Tracy moved that we fund this park from the revenue outlined on the financing sheet as presented and award the bid for the 100 South park construction to the second low bidder, Hawker Enterprise, on the advice of the City Engineer, Shane Sorensen, in the amount of \$1,679,668.57 that includes everything except the decorative columns. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

Hunt Willoughby said he is working on the possibility of getting a bunch of the money needed donated by a family for this park.

There was a five-minute break.

#### **C. PROCLAMATION ESTABLISHING AND PROMOTING A CHILD-SAFE COMMUNITY**

**STANDARD.** Hunt Willoughby said several communities in the state have passed a proclamation establishing and promoting a child-safe community with anti-pornography targeting children. At the last City Council meeting Kent Hastings proposed this Proclamation and felt this was a perfect fit with Family First. This Proclamation would be non-binding and it would help keep pornography away from children.

John Gunter, Executive Coordinator/Educator for Citizens for Families, said there are 30 cities that have signed the Proclamations as everybody is affected by pornography. Mr. Gunter said this group works with parents, youth groups, women's groups, schools and government as pornography is targeted at children. There are 50,000 predators on line, 42,000,000 are addicted to pornography which always escalates. The average exposure on the internet is age 11. John Gunter met with the Conference of Mayors in Salt Lake City and they said it was a start. The Council was asked to look into this problem a little deeper. Kent Hastings asked what the other communities are doing and said he looks at this being like drugs. Kimberly Bryant said she has a friend who said pornography is harder to overcome than drugs. John Gunter recommended and suggested that the City use the white ribbon program against pornography and said they are working on a program to restrict pornography requests. Bradley Reneer thanked John Gunter for his efforts. Mayor Hunt Willoughby suggested the Council edit the draft proclamation. Kent Hastings asked if there are rehab centers and Bradley Reneer said we don't want our children to learn inappropriate behavior. Jim Tracy read an article from the Deseret News which said that Park City Council passed an ordinance that would protect city residents from discrimination in employment or housing based on sexual orientation or gender identity and this was supported by the LDS Church. Councilman Tracy wanted to make sure we were not opening the door to special interest groups.

**MOTION:** Kent Hastings moved that the City Council approve the Proclamation Establishing and Promoting a Child-Safe Community Standard as it is written. Troy Stout seconded. Ayes: Kimberly Bryant, Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

**E. STORM DRAIN MASTER PLAN & STORM DRAIN ORDINANCE.** This was handled earlier in the meeting.

**F. WATER PROJECTS.** This item was handled earlier in the meeting.

**G. WINDMILL ORDINANCE REVIEW.** Mayor Hunt Willoughby suggested this be put off until the next City Council meeting as April Naidu is still working on it.

**VII. REPORTS – FINANCIAL REPORT.** Ted Stillman went over the Financial Report through February which reflected revenues and expenditures for eight months of the fiscal year. Mr. Stillman said the bad news was that



most General Fund revenues are down as compared to the same time last year and recommended that we closely monitor revenues and expenditures; however, we have had more building permits issued this past month.

## VIII. COMMUNICATION

### Mayor Hunt Willoughby –

1. Said this is the 100-year Anniversary of the Boy Scouts of America and they are focusing on service. Those who get their Eagle Scout by May or June will get to go to the Stadium of Fire.
2. There will be a luncheon here at City Hall catered by Connie Zarbock on Friday, March 26 at 12:00 noon honoring Janis Williams. The open house will be from 2:00 to 5:00.
3. Has two tickets to the State Jr. Miss Pageant on March 12 at Juan Diego.

### Kimberly Bryant –

1. The Easter Egg Hunt will be on April 3, is a local event and will be for ages from 0 to 10.
2. On March 20, 2010 there will be a Leadership Seminar here at City Hall in the Council Chambers for our Youth Council since they could not go to Logan. The City Council was invited to attend.

**Kent Hastings** – Reminded everyone that Family First will be on Friday, March 20, 2010 at 7:00 pm at Timberline Middle School.

**Bradley Reneer** – Said it seems like spring would be a good time to bring back spring cleaning around our neighborhoods and also clean up some parks. We could use it to test our emergency preparedness system. Ron Devey said about the first part of July we will need hundreds of trees planted and one hundred people will be needed to set the trees. Shane Sorensen said we got those trees for about \$85.00 per tree for 2" caliper and they came with full warranty.

**Troy Stout** – Said it was a difficult process coming to a consensus on the 100 South Park and felt we were spending a lot of money. There will be some people that will be happy with the Council and some that will not be.

**Jim Tracy** – Said we pass laws and some of them we selectively enforce. One is the sign ordinance. The sign that bothers him is all the signs on the corner fence at the Stake Center by the roundabout and we ignore them. Jim Tracy asked if as a council should we continue to ignore it?

**Ron Devey** – Pressurized irrigation will be turned on by April 15<sup>th</sup>.

**Jannicke Brewer** – Said it is about time to deal with the sign ordinance again.

**Janis H. Williams** – Read the following statement:

"After 20 years of service with Alpine City my last date of employment will be on March 31. I feel I need to be of service to my extended family and this I need to do. I started to work for the City in October of 1990 and have worked with 6 Mayors, many City Council Members, 2 City Attorneys and 5 Police Chiefs. I want to thank you for being so understanding of me and my situation. The years here have been many and I have made many friendships. I know the City will be in good hands, but because I am so old I'm going to give you some motherly advice and that would be that you all work together to keep this the fine community it is and preserve the pioneer heritage."

**IX. EXECUTIVE SESSION** to discuss Litigation, Property Acquisition and Personnel. An Executive Session was not needed.

## X. APPROVAL OF MINUTES

City Council Meeting Minutes of February 23, 2010

**MOTION:** Troy Stout moved to approve the minutes of the City Council meeting of February 23, 2010 and adjourn. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Bradley Reneer, Troy Stout and Jim Tracy. Nays: 0. Motion passed.

The meeting adjourned at 10:45 pm.